

OFFICE OF SPECIAL MASTERS

No. 03-2860V

Filed: August 1, 2005

JOHN WILKERSON, a minor, by and *
through DWIGHT WILKERSON, as father, *
and CYNTHIA WILKERSON, as mother, *

Petitioners, *

v. *

SECRETARY OF THE DEPARTMENT *
OF HEALTH AND HUMAN SERVICES, *

Respondent. *

DECISION*

During a status conference held on July 29, 2005, petitioners' counsel, on behalf of her clients, requested that the court issue a decision in this case based on the existing record. Accordingly, the undersigned has reviewed the entire record. 42 U.S.C. § 300aa-13(a) provides that the special master "may not make a finding based on the claims of a petitioner alone, unsubstantiated by medical records or by medical opinion." A review of this record shows, and the undersigned so finds, that the medical records do not substantiate petitioners' claim and petitioners did not provide a supportive expert opinion. Accordingly, petitioners have failed to establish a prima facie case. Thus, the court must dismiss this case for want of proof. The Clerk shall enter judgment accordingly.

IT IS SO ORDERED.

Gary J. Golkiewicz
Chief Special Master

* Because this decision contains a reasoned explanation for the undersigned's action in this case, the undersigned intends to post this decision on the United States Court of Federal Claims's website, in accordance with the E-Government Act of 2002, Pub. L. No. 107-347, 116 Stat. 2899, 2913 (Dec. 17, 2002). As provided by Vaccine Rule 18(b), each party has 14 days within which to request redaction "of any information furnished by that party (1) that is trade secret or commercial or financial information and is privileged or confidential, or (2) that are medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of privacy." Vaccine Rule 18(b). Otherwise, "the entire" decision will be available to the public. Id.